

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Select Comfort Corporation,

Court File No. 13-cv-02451-DWF-SER

Plaintiff,

vs.

**PLAINTIFF'S DAUBERT MOTION
TO EXCLUDE REPORT AND
OPINIONS OF EXPERT WITNESS
DAVID STEWART**

Tempur Sealy International, Inc., d/b/a/
Tempur-Pedic

And

Mattress Firm, Inc.,
d/b/a Mattress Firm,

Defendants.

Plaintiff Select Comfort Corporation ("Plaintiff") respectfully moves the Court pursuant to Rule 702 of the Federal Rules of Evidence for an Order granting its Daubert Motion to Exclude Report and Opinions of Expert Witness David Stewart. As set forth in further detail in Plaintiff's memorandum of law in support of this Motion, portions of Dr. Stewart's report and opinions are inadmissible and should be excluded from the trial in this matter.

This Motion will be based upon all the files, records, and proceedings herein, including memoranda of law to be filed in support of the Motion, supporting affidavits and exhibits, arguments of counsel, and the pleadings and proceedings in this matter.

Dated: January 29, 2016

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